

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CRIMINAL No.  
11-10260-NMG

UNITED STATES OF AMERICA  
v.

AARON SWARTZ

**FINAL STATUS REPORT**

August 1, 2012

DEIN, M.J.

A Final Status Conference and hearing on defendant's motion for discovery was held before this court on July 26, 2012 pursuant to the provisions of Local Rule 116.5(b). Based on that conference, this court enters the following report and orders, to wit:

1. The parties anticipate a trial in this matter.
2. This court has, on this date, issued an order on defendant's motion for discovery ordering the government to produce a limited amount of additional discovery by August 15, 2012.
3. There are no outstanding or anticipated discovery motions.
4. The defendant intends to file dispositive motions. The deadline for filing such motions is **September 28, 2012**. The government's response to such motions is due on **October 30, 2012**.
5. By agreement of the parties, the government will make its initial expert disclosures 11 weeks before trial. The defense will make its expert disclosures 8 weeks before trial. The government may then make an additional expert disclosure 5 weeks before trial if additional expert(s) are needed to address matters raised in the defense disclosures.
6. This court finds and concludes, pursuant to the provisions of 18 U.S.C. § 3161(h)(7)(A) and Section 5(b)(7)(B) of the Plan for Prompt Disposition of Criminal Cases in the United States District Court for the District of Massachusetts (Statement of Time Limits Adopted by the Court and

Procedures for Implementing Them, Effective December 2008) that the defendant requires additional time for the preparation of an effective defense, including time for review of the evidence, preparation of motions, and consideration of alternatives concerning how best to proceed with this matter, and that the interests of justice outweighs the best interests of the public and the defendant for a trial within seventy days of the return of an indictment.

Accordingly, it is hereby ordered that the Clerk of this Court enter excludable time for the period of July 26, 2012 through October 30, 2012, that being the period between the expiration of the last order on excludable time and the date by which the government must respond to the defendant's dispositive motions.

Based upon the prior orders of the court dated July 19, 2011, September 9, 2011, November 8, 2011, December 14, 2011, January 18, 2012, March 16, 2012, May 23, 2012 and the order entered contemporaneously herewith, as of October 30, 2012 there will be zero (**0**) days of non-excludable time under the Speedy Trial Act and seventy (**70**) days will remain under the Speedy Trial Act in which this case must be tried.

7. The parties believe that a trial is likely and that the trial will last approximately 3 weeks.
8. The file is hereby ordered returned to the District Judge to whom this case is assigned for further proceedings.

/ s / Judith Gail Dein  
JUDITH GAIL DEIN  
UNITED STATES MAGISTRATE JUDGE